

The Office states that the status of Claims 27, 28, 30, and 31 requires clarification. The applicants regret any inconvenience caused by the confusion regarding claim status. Claims 27, 30, and 31 are now indicated as cancelled in the Listing of Claims. Claim 28, which was erroneously indicated as "withdrawn" in the Listing of Claims submitted with the previous Response, is now indicated as "previously presented" in the Listing of Claims. The withdrawn notation was wrongly made by this office in Response to the last Office Action.

Claims 33 and 34 are rejected under 35 USC § 112, first paragraph, for failing to comply with the enablement requirement. With the instant Amendment, the portions of Claims 33 and 34 directed to "sexual dysfunction and libido disorders, schizophrenia, and drug abuse" have been deleted. Claims 33 and 34 have also been amended to replace "cognitive disorders" with "Alzheimer's disease and attention deficit disorder" and to replace "sleep disorders" with "slow wave sleep disorders." The applicants submit that the instant specification and the MILLAN Declaration support the claim to treatment of these conditions. Thus, the applicants submit that Claims 33 and 34, as amended, comply with the enablement requirement.

Claims 18-26, 28, and 33-34 are rejected under 35 USC § 112, second paragraph, for indefiniteness based on the term "containing" which appears in Claim 18. Claim 18 has been amended to replace "containing" with "having" in the alkyl and alkoxy definition. Claims 29 and 32 are objected to as being dependent on a rejected base claim. The applicants submit that the instant Amendment is responsive to the objection to the generic base claim, thereby obviating the rejection of the dependent claims which limit the scope of the base claim.

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Accordingly, entry of the present amendment, reconsideration of all grounds of objection and rejection, withdrawal thereof, and passage of this application to issue are all hereby respectfully solicited.

It should be apparent that the undersigned attorney has made an earnest effort to place this application into condition for immediate allowance. If he can be of assistance to the Examiner in the elimination of any possibly-outstanding insignificant impediment to an immediate allowance, the Examiner is respectfully invited to call him at his below-listed number for such purpose.

Allowance is solicited.

Respectfully submitted,

THE FIRM OF HUESCHEN AND SAGE

By:


G. PATRICK SAGE

Dated: February 25, 2004
Customer No.: 25,666
500 Columbia Plaza
350 East Michigan Ave.
Kalamazoo, MI 49007-3856
(269) 382-0030

Enclosure: Listing of Claims; Postal Card Receipt.

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THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY FURTHER OR ADDITIONAL FEES WHICH MAY BE REQUIRED (DUE TO OMISSION, DEFICIENCY, OR OTHERWISE), OR TO CREDIT ANY OVERPAYMENT, TO DEPOSIT ACCOUNT NO. 08,3220.